

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
Caption in Compliance with D.N.J. LBR 9004-1(b)

Denise Carlon, Esquire  
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Attorneys for Secured Creditor  
M&T Bank

In Re:  
Robert Elliott Shanley III  
Evane McLeane Shanley  
  
Debtors.



Order Filed on May 2, 2019  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Case No.: 18-26126 MBK

Adv. No.:

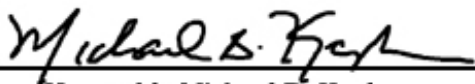
Hearing Date: 4/23/19 @ 9:00 a.m..

Judge: Michael B. Kaplan

**ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR  
RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby  
**ORDERED.**

**DATED: May 2, 2019**

  
Honorable Michael B. Kaplan  
United States Bankruptcy Judge

**(Page 2)**

Debtor: Robert Elliott Shanley III, Evane McLeane Shanley

Case No: 18-26126 MBK

Caption of Order: ORDER CURING POST-PETITION ARREARS AND RESOLVING MOTION FOR RELIEF FROM STAY

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This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, M&T Bank, Denise Carlon appearing, upon a motion to vacate the automatic stay as to real property located at 125 Navesink Avenue, Middletown Twp, NJ, 07752, Monmouth, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Joseph Casello, Esquire, attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of April 19, 2019, Debtors are in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due September 2018 through April 2019 for a total post-petition default of \$30,369.20 (8 @ \$3,796.15); and

It is further **ORDERED, ADJUDGED and DECREED** that Debtor shall make an immediate payment of \$10,000.00 to be received no later than May 31, 2019; and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$20,369.20 will be paid over six months by Debtor remitting \$3,394.86 per month for five months and \$3,394.90 for one month, which additional payments shall begin on May 1, 2019 until the post-petition arrears are cured; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume May 1, 2019, directly to Secured Creditor's servicer, M&T Bank, PO Box 1288, Buffalo, NY 14240 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if any of the cure payments or regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtors shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$181.00 for filing fees, totaling \$531.00, which is to be paid through Debtors' Chapter 13 plan and the motion is hereby resolved.

**Certificate of Notice Page 3 of 3**  
United States Bankruptcy Court  
District of New Jersey

In re:  
Robert Elliott Shanley, III  
Debtor

Case No. 18-26126-MBK  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: May 02, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 04, 2019.

db +Robert Elliott Shanley, III, PO Box 641, Navesink, NJ 07752-0641

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: May 04, 2019

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 2, 2019 at the address(es) listed below:

Albert Russo docs@russotrustee.com  
Aleisha Candace Jennings on behalf of Creditor U.S. Bank National Association  
ajennings@rasflaw.com  
Denise E. Carlon on behalf of Creditor M&T BANK dcarlon@kmlawgroup.com,  
bkgroup@kmlawgroup.com  
Harold N. Kaplan on behalf of Creditor US Bank National Association hkaplan@rasnj.com,  
informationathnk@aol.com  
J. Alex Kress on behalf of Creditor ISE Farms, Inc. akress@becker.legal,  
mambrose@becker.legal;akress@ecf.courtdrive.com  
J. Alex Kress on behalf of Creditor ISE America Inc. akress@becker.legal,  
mambrose@becker.legal;akress@ecf.courtdrive.com  
Joseph Casello on behalf of Debtor Robert Elliott Shanley, III jcasello@cvclaw.net,  
jcasello627@gmail.com  
Rebecca Ann Solarz on behalf of Creditor M&T BANK rsolarz@kmlawgroup.com  
Richard James Tracy, III on behalf of Creditor TD Bank, N.A. rtracy@schillerknapp.com,  
tshariff@schillerknapp.com; kcollins@schillerknapp.com; ahight@schillerknapp.com  
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 10